

From: Jackson, David (Engineering)
To: 'microsoft.atr(a)usdoj.gov'
Date: 12/31/01 2:45pm
Subject: Microsoft Settlement

Sirs

This is my opinion of the proposed settlement of your case against Microsoft. Needless to say I find it less than satisfactory. I am surprised at the ease at which the DOJ can be disregarded by a corporation operating in this country. Microsoft does clearly use it's monopoly to the disservice of the people of this country and shows no signs in being interested at all in voluntarily changing it's ways. The settlement you propose is either naive or motivated by something other than the best interest of the people you purport to represent. At best it's nothing more than a slap on the wrist and a promise from the company to not do this sort of thing in the future. This company has made promises like this in the past. The fact that they have ended up back in the sights of the DOJ should tell you what you need to know about how that went last time.

As a user of Microsoft products (by necessity), Apple products (by preference), and Linux/GNU products (for stability) I have watched as my options have grown increasingly smaller over the years. This is become unbearable for me from an economic standpoint. An example for this can be given. I recently needed to buy a better video card for my Apple Macintosh G3 computer which I use for the majority of my computing at home. I find the system to be more stable than Microsoft Windows (any version) and more pleasing to work on from an aesthetic and ergonomic point of view. The video card in my Macintosh was simply not up to the task and so I went to my Local electronics store to find another, better, and faster card. That's when I saw the end result of what you are so ready to settle over.

There is only one current video card available for Apple Macintosh computers through retailers. It's an ATI Radeon card with 32MB of RAM and has very good performance. For Windows this card retails for \$69 after rebate and is one of well over a hundred options I might have. Windows video cards vary in price from under \$20 to well over \$400 (excluding the grossly expensive video cards used by graphics professionals, these can run in the thousands of dollars) giving Windows users a card for every need or budget. For the Macintosh this card is priced at \$229. It's the same card. It has the same graphics chip on it and it has the same amount of memory. The Microsoft monopoly has effectively destroyed any choice I have in upgrading one of their competitors machines by it's sheer size and weight. The cost of making this card with an Apple Macintosh ROM on it simply doesn't justify it being priced in the same range as the version for Windows.

In Linux you have a similar situation. Here you can certainly buy any of the countless PC video cards but you cannot find any companies willing to create the driver software to make these video cards perform to their

abilities. The Windows versions of these drivers get updates and rewritten multiple times per year but the same companies will not expend the time or effort to create equal quality drivers (or most often "any" drivers) for Linux. Again my choice is limited and again Microsoft and it's standard way of doing business are at the root of the problem.

My own personal solution to this has been to not spend money on anything that will make Microsoft richer. It's a uniquely American idea that the market is free and that it will all come out in the wash. By my estimation I have not given Microsoft a penny since 1994 and I will continue to do that even though it means my stepson might just be the only kid on his street to not get an X-Box, ever. Proceed with your settlement and see how many kids own Nintendo Gamecubes or Sony Playstation's in five years by the way.

Whenever I can at work I push for the non-Microsoft alternative and I even win some from time to time. Realistically though I know this isn't making any difference. I'm watching the products and companies I do support slowly vanish from the computing landscape. Individual consumers cannot reign this company in and it's a matter of time before we are all connecting to the internet, playing games, getting work done, or doing any of a hundred thousand other things that will help our lives by nothing more than the grace of Microsoft.

Honestly when one looks at what this company has done, is doing, and will be capable of doing if they remain unfettered by the laws of the country they do business in it is frightening. At the same time if the settlement is approved and those other states which have turned away from it are stopped from doing what is right I have to think that my views on the Right and Wrong of my government will have changed for good. It's been my idea for most of my life that this country was usually (if not always) "right" and those who stood against it were usually (if not always) "wrong". How can that be the case if the DOJ is interested in selling my best interests out because the administration of the moment wants Microsoft to keep fueling their economy?

There is a right and a wrong and it's not difficult to tell the difference between the two. I urge you to not pursue this settlement and instead actually make Microsoft do business on an equal footing with their peers.

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